

10. Permit (Approvals) Status SB257, Section 3(1)

10.1 Federal Permits (Approvals)

| Permit or Approval | Responsible Agency | Regulated Activities | Status |
|--|--------------------------------------|---|--|
| U. S. Army Corps of Engineers 404 Permit | U.S. Army Corps of Engineers | Construction of water intake structure, water discharge structure, and barge dock | Permit issued 05/15/03 |
| Determination of Obstruction Hazard | Federal Aviation Administration | Construction of tall structures | No hazard determination issued 10/17/01, extended 06/27/03 |
| Phase II Acid Rain Permit | US EPA/Kentucky DAQ | Power plant operation in compliance with Acid Rain Regulations | Permit issued 10/11/02, revised 12/06/02. |
| Exempt Wholesale Generator Certification | Federal Energy Regulatory Commission | Sale of wholesale electricity | Approved 02/28/02 |

10.2 State of Kentucky Issued Permits

| Permit or Approval | Responsible Agency | Regulated Activities | Status |
|---|------------------------------------|---|---|
| PSD/ Title V Air Permit | Kentucky Division of Air Quality | Construction and operation of major source of air emissions | Permit issued 10/12/02, revised 12/06/02 |
| Water Withdrawal Permit | Kentucky Division of Water | Withdrawal of water from Kentucky streams | Letter of assurance issued 09/19/02 |
| Section 401 Water Quality Certification | Kentucky Division of Water | Required for USACE 404 permit | Certification issued 07/22/02 |
| KPDES General Storm Water Construction Permit | Kentucky Division of Water | Discharge of storm water runoff during construction | Permit issued 6/13/02, 09/30/02 |
| Stream Construction Permit | Kentucky Division of Water | For construction in or along a stream | Permit issued - 06/01/02, Permit reissued- 08/19/03 |
| Kentucky Pollutant Discharge Elimination System | Kentucky Division of Water | Discharge of cooling waters and storm water runoff | Draft permit issued 07/25/03 |
| Special Waste Permit | Kentucky Division of Waste | Disposal of coal combustion waste byproducts | Draft permit issued 08/15/03 |
| Permit to Construct or Alter a Structure | Kentucky Airport Zoning Commission | Construction of a structure greater than 200' | Application to be submitted closer to start of construction |

10.3 Local Permits

No local permits are required.

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER
FRANKFORT, KENTUCKY 40601



STREAM CONSTRUCTION PERMIT

For Construction In Or Along A Stream

Issued to: **Thoroughbred Generating Company, LLC**
Attn: Diana Tickner
Address: **701 Market Street, 6th Floor**
St. Louis, MO 63101

Permit No. **12012-Reissue**
Expires if work is not begun by
August 19, 2004

In accordance with KRS 151.250 and KRS 151.260, the Natural Resources and Environmental Protection Cabinet approves the application dated **August 12, 2003** for **construction of a water outfall structure and water intake structure and barge dock on the Green River at about stream mile 85.24 and 85.8, respectively, with coordinates 37.3247222, -87.1184166 and 37.3246944, -87.1036944, in Muhlenberg County.**

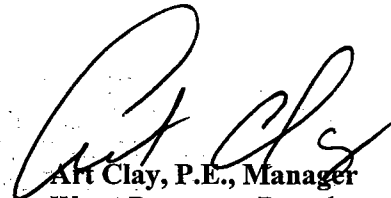
There shall be no deviation from the plans and specifications submitted and hereby approved unless the proposed change shall first have been submitted to and approved in writing by the Cabinet.

This permit is nontransferable and is not valid unless actual construction of this authorized work is begun prior to the expiration date noted above. Any violation of the Water Resources Act of 1966 as amended is subject to penalties as set forth in KRS 151.990.

If you have any questions regarding this permit, please call Ms. Traci Hyatt at (502) 564-3410.

Issued August 19, 2003.

By:


Art Clay, P.E., Manager
Water Resources Branch

AC/TH/kla

pc: Madisonville Regional Office
File

RECEIVED

AUG 22 2003

DIANNA TICKNER

HENRY C. LIST
SECRETARY



*file: T-bred
water permits*
PAUL E. PATTON
GOVERNOR
KPDES

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

July 25, 2003

Dianna Tucker, President
Thoroughbred Generating Company, LLC
701 Market Street, 6th Floor
St. Louis, Missouri 63101

Re: KPDES No.: KY0104588
Thoroughbred Generating Station
Muhlenberg County, Kentucky

Dear Ms. Tucker:

A draft Kentucky Pollutant Discharge Elimination System (KPDES) permit for the above-referenced facility has been completed and the information sent to public notice as per Regulation 401 KAR 5:075, Sections 3 and 5. Enclosed for your review are copies of the public notice, draft permit, and fact sheet or statement of basis. Comments on the draft permit must be received by the comment due date on the enclosed public notice.

The issuance fee for your KPDES permit is \$2560.00. Please make your check payable to the Kentucky State Treasurer and mail it to the Division of Water, KPDES Branch, Inventory and Data Management Section, 14 Reilly Road, Frankfort, Kentucky 40601 upon receipt of this letter. For your record keeping purposes, it is recommended that your check be sent by certified mail.

If you have any questions, feel free to contact the permit writer (referenced in the public notice) or me at (502) 564-2225, extension 465.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney Seitz".

Courtney Seitz, Supervisor
Inventory and Data Management Section
KPDES Branch
Division of Water

CS:ASW:asw
Enclosures

c: Madisonville Regional Office
Division of Water Files

RECEIVED

AUG 04 2003

DIANNA TICKNER



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COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

FRANKFORT OFFICE PARK
14 REILLY RD
FRANKFORT KY 40601

FACT SHEET

DRAFT

JUL 25 2003

**KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE TREATED WASTEWATER
INTO WATERS OF THE COMMONWEALTH**

KPDES No.: KY0104588 Permit Writer: Larry Sowder Date: May 30, 2003

1. SYNOPSIS OF APPLICATION

a. Name and Address of Applicant

Thoroughbred Generating Company, LLC
701 Market Street, 6th Floor
St. Louis, Missouri 63101

b. Facility Location

Thoroughbred Generating Company, LLC
Thoroughbred Generating Station
1380 Thoroughbred Drive
Central City, Muhlenberg County, Kentucky

c. Description of Applicant's Operation

Coal-fired steam electric power generation and transmission facility (SIC Code 4911)

d. Production Capacity of Facility

1500 Megawatts

e. Description of Existing Pollution Abatement Facilities

Outfall 001 - Sedimentation shall be provided to that portion of the cooling tower blowdown that is not reused and plant storm water runoff. The flows for each wastestream will vary with climatic conditions and plant load. Typically approximately 50% of the blowdown will be sent to the recycle pond for reuse in the plant.

Outfall 002 - The storm water runoff from the coal and limestone storage area is collected in a sediment basin, which is then discharged to the plant recycle pond. This outfall is for potential overflow of this basin should one occur. No additional treatment is provided.

CW





**Natural Resources and
Environmental Protection Cabinet**
Department for Environmental Protection
Division of Water
14 Reilly Road
Frankfort, Kentucky

Kentucky Pollutant Discharge Elimination System

Public Notice No. 2003-23

Date of Notice: July 30, 2003

Comments Due By: August 29, 2003

The Kentucky Department for Environmental Protection, Division of Water proposes to issue, modify or terminate Kentucky Pollutant Discharge Elimination System (KPDES) permits for the treated wastewater discharges listed below.

CORRECTION

NOTICE OF KPDES PUBLIC HEARING

**THOROUGHbred GENERATING STATION, LLC
THOROUGHbred GENERATING STATION
KPDES NO. KY0104558**

**Date of Public Hearing: August 26, 2003
Time of Public Hearing: 6:00 p.m. (C.S.T.)
Comments Due By: August 29, 2003**

The Director of the Kentucky Division of Water, Department for Environmental Protection, has scheduled a Public Hearing for the purpose of soliciting input and comments from concerned individuals on this draft permit.

THOROUGHbred GENERATING STATION (Thoroughbred Generating Station, LLC), 1380 Thoroughbred Drive, Central City, Kentucky. This permit action involves a new source discharge of non-contact cooling water and storm water runoff from a coal fired steam electric plant that enters Green River and Nelson Creek at mile point 85.2 in Muhlenberg County. Permit Writer: Larry Sowder.

This hearing will be held on **August 26, 2003, at North Muhlenberg High School, 501 Robert Draper Way, Greenville, Kentucky**. So that all comments receive full consideration, they are not responded to at the hearing. However, all comments will be considered by the Division prior to any final action and a response to comments prepared in accordance with 401 KAR 5:075, Section 11 and 12. Persons wishing to comment upon, support or object to this proposed action are invited to submit comments to the Division of Water, KPDES Branch, 14 Reilly Road, Frankfort, Kentucky 40601. **All comments must be received by August 29, 2003.** The permittee's name and KPDES number should be included in the first page of the comments.

Additional information or copies of the draft permit may be obtained by contacting Courtney Seitz or Larry Sowder, Division of Water, KPDES Branch at (502) 564-3410. Three (3) days advance notice may be required for inspection of files.

The meeting facility is accessible to people with disabilities. The cabinet will provide, upon request, reasonable accommodations including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities. If an interpreter or other auxiliary aid or service is needed, contact Courtney Seitz in the Natural Resources and Environmental Protection Agency, Division of Water, KPDES Branch before August 26, 2003, at (502) 564-3410 between 8:00 a.m. and 4:30 p.m. (e.s.t.).

HENRY C. LIST
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
14 REILLY RD
FRANKFORT KY 40601-1190

August 18, 2003

Dianna Tickner, President
Thoroughbred Generating Company, LLC
701 Market Street, 6th Floor
St. Louis, MO 63101

RE: Thoroughbred Generating Station Special Waste Landfill
Solid Waste Permit # 089-00034 / AI# 35762
Application # APE20020001
Muhlenberg County, Kentucky

Dear Ms. Tickner:

The Solid Waste Branch of the Kentucky Division of Waste Management (KDWM) has completed review of the subject application to construct a special waste landfill and has made a preliminary decision to approve a permit. Preparations are underway for completing the public information procedures for special waste facility permits in accordance with 401 KAR 45:050.

A copy of the draft permit, the public notice, and a fact sheet concerning the application approval process is enclosed for your information and use. An administrative record for the proposed permit had been compiled and forwarded to the Central City Public Library as a local public repository.

A thirty-day public comment period will commence with publication of the Notice. A Public Meeting has been scheduled for September 23, 2003, the end of the comment period. Following compilation and analysis of information gathered through the public meeting and notice, the KDWM shall make a final determination concerning issuance of a permit authorizing construction.

If you need clarification or additional information, contact me in Frankfort at 502/564-6716.

Sincerely,

A handwritten signature in cursive script that reads "R. D. Gruzesky".

Ronald D. Gruzesky, PE
Manager, Solid Waste Branch

RDG/rg
Thoroughbred Draft Permit Cover Letter.doc
Enclosures

C: Madisonville Regional Office
Don Fuller, PE, FMSM Engineers
Solid Waste Branch Reading File
DWM File Room



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PUBLIC NOTICE

Pursuant to Application No. 089-00034 LS1 NW1 - AI# 35762

PUBLIC HEARING SEPTEMBER 23, 2003 AT 7:00

The Natural Resources and Environmental Protection Cabinet, Division of Waste Management has issued a draft construction permit to Thoroughbred Generating Company, LLC located in Muhlenberg County.

The applicant proposes to construct the landfill to dispose of coal combustion by products from a coal fired electrical generating station.

The proposed landfill may be accessed from Central City on US 431 North to KY Route 277. Turn right onto KY Route 277 and travel 2.2 miles then turn right onto KY Route 1379, go approximately 0.1 miles to the facility entrance on the right.

The name and address of the permit applicant is:

Thoroughbred Generating Company, LLC
Thoroughbred Generating Station
1380 Thoroughbred Drive
Central City, Kentucky 42330
Contact Person: Dianna Tickner Phone No. (314) 342-7613

The permit application is being processed at the following address:

Division of Waste Management
Solid Waste Branch
14 Reilly Road
Frankfort, KY 40601

The application and related information can be reviewed at the Division of Waste Management's Frankfort office between 8:30 AM and 4:00 PM weekdays by appointment only. To make an appointment, submit a written request to Maria Wood at least 72 hours prior to the desired review date. Requests can be faxed to (502) 564-9232 or mailed to Ms. Wood at the above address.

A second copy of this application is available for public inspection at the Central City Public Library, 108 East Broad Street, during normal operating hours.

A public hearing on the application has been scheduled for September 23, 2003 at 7:00 PM at North Muhlenberg High School, 501 Robert Draper Way, Greenville, Kentucky.

Comments or objections may be presented at the public hearing or submitted in writing to Ronald D. Gruzsky, Division of Waste Management, 14 Reilly Road, Frankfort, KY 40601-1190, by close of business on September 23, 2003. Please reference Application # 089-00034 LS1 NW1 on any correspondence.

The Cabinet does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services and provides, upon request, reasonable accommodations including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities. To request alternate formats for printed information, contact Anita Young at (502) 564-6716. Publication of this notice is pursuant to 401 KAR 45:050 .

401 KAR 45:050 Section 2 Fact Sheet
Thoroughbred Generating Station
Special Waste Permit No. 089-00034
Agency Interest # 35762
August 15, 2003

Facility

- Thoroughbred Generating Station
- Mailing address: 1380 Thoroughbred Drive, PO Box 151, Central City, KY 42330
- Facility Contact: Diana Tinker (314) 342 - 7613

Proposed Activity

- Construct a new special waste landfill in Muhlenberg County, KY for the disposal of ash and other coal combustion by-products generated from the burning of coal for power generation.
- The area of waste disposal will be 485 acres with a total permit area of 1,013 acres.
- The cubic yards of permitted airspace will be 78,400,000 cubic yards.
- The special landfill will require the need for disposal cell sub-base construction, liner installation, perimeter road construction, sediment control structures, a leachate control system, and an environmental monitoring network including surface and ground waters.

Waste Description

- The facility will dispose of coal combustion wastes as defined by KRS 224.50-760.
- Facility Average Daily Disposal Rate: 2,111 tons/day
- Facility Average Annual Disposal Rate: 599,586 tons/year

Facility Design

- The layers of the landfill liner, from bottom to top, are: compacted sub-grade; 24" compacted soils; 60 mil VFPE (Very Flexible Polyethylene) Liner; and minimum 12" drainage media.
- The layers of the final cap, from bottom to the top, are: 18" soil, 6" topsoil and a permanent vegetative cover.

Permit Conditions/Variations

- No specific permit conditions or regulatory variations are required for this action.

Permit Review Contact

- Ronald D. Gruzesky, Division of Waste Management, 14 Reilly Road, Frankfort KY 40601 (502) 564-6716 (phone); (502) 564-4049 (fax); ron.gruzesky@mail.state.ky.us (internet)

Final Decision Procedures

- The public comment period shall last from August 20, 2003 to September 23, 2003.
- A public hearing is scheduled for September 23, 2003 at 7:00 PM at North Muhlenberg High School, 501 Draper Way, Greenville, Kentucky.
- A copy of the subject application is available at the Central City Public Library, 108 East Broad Street, Central City, Kentucky. The permit application may be reviewed during regular library business hours.
- Comments during the public comment period may be made be submitted at the Public Hearing or transmitted to:

Ronald D. Gruzesky, P.E.
Division of Waste Management
Solid Waste Branch
Permit Administration Section
14 Reilly Road
Frankfort, KY 40601



Kentucky Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
 Division of Waste Management

SOLID WASTE PERMIT SUMMARY

Agency Interest: **THOROUGHbred GENERATING COMPANY, LLC**
 701 Market Street, 6th Floor
 St. Louis, MO 63101

Permitted Facility: **THOROUGHbred GENERATING
 SPECIAL WASTE LANDFILL**
 1380 Thoroughbred Drive
 Central City, KY 42330

Agency Interest ID #: 35762

Solid Waste Permit #: 089-00034

County: Muhlenberg

Permitted Activities: a) Special Waste Landfill

Permit Type: a) Construction

Financial Assurance Summary:

Permit Activity: Activity (a)
 Instrument Type:
 Instrument #:
 Bond Amount: \$ 0

Acreage Summary:

Permit Activity: Special Waste (a)
 Waste Disposal Area: 485 Acres
 Total Permit Area: 1,013 Acres

Permit Expiration Date: Life of the Facility

Permit issued this day of 20

